



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,396	01/22/2002	Giovanni Lonoce	IT 010001	7187

24737 7590 06/18/2004

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

SHENG, TOM V

ART UNIT PAPER NUMBER

2673

DATE MAILED: 06/18/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/055,396

Applicant(s)

LONOCE ET AL.

Examiner

Tom V Sheng

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 21 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13,14,17 and 18 is/are allowed.
- 6) ☒ Claim(s) 1-12,15,16,19 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Newly submitted claim 21 is directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: claim 21 cites increasing a first brightness and decreasing a second brightness that is different from displaying a video signal, increasing light illumination, and decreasing an amplitude of part of the video signal, as previously claimed.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claim 21 is withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "outside the portion" (claim 1, line 11; claim 8, line 12; claim 9, line 12; claim 13, line 10; claim 16, line 10; claim 19, line 8; and claim 20, lines 6-7), "first video signal" (claim 17, line 4; claim 18, line 4), "second video signal" (claim 17, lines 5-6; claim 18, line 6), "first portion of said display" (claim 17, line 5; claim 18, lines 4-5), and "second portion of said display" (claim 17, line 6; claim 18, lines 6-7) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Art Unit: 2673

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 17 and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The recitations of "first video signal", "second video signal", "first portion of said display", and "second portion of said display" are not in the specification.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

6. Claims 1-12, 15, 16, 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, lines 1-2, the phrase "the brightness of a portion of a video signal" is unclear. Brightness is not associated with a video signal but a display; however

Art Unit: 2673

amplitude or frequency is. Also, the above word "brightness" is never again related to in the claim limitations. Does "brightness" correspond to "amount of light" in line 7 and "an amplitude of the video signal" in line 10? Moreover, the phrase "outside the portion" in line 11 is not clear as to the correspondence. Claims 2-7, 10, 11, 12 are dependent on claim 1.

In claim 8, lines 1-2, the phrase "the brightness of a portion of a video signal" is unclear. Brightness is not associated with a video signal but a display; however amplitude or frequency is. Also, the above word "brightness" is never again related to in the claim limitations. Does "brightness" correspond to "amount of light" in line 8 and "an amplitude of the video signal" in lines 11-12? Moreover, the phrase "outside the portion" in line 12 is not clear as to the correspondence. The phrase "having an amplitude for a part not corresponding to the portion which is smaller than an amplitude of a part corresponding to the portion" in lines 17-19 is unclear.

In claim 9, line 2, the phrase "the brightness of a portion of a video signal" is unclear. Brightness is not associated with a video signal but a display; however amplitude or frequency is. Also, the above word "brightness" is never again related to in the claim limitations. Does "brightness" correspond to "amount of light" in line 8 and "an amplitude of the video signal" in lines 11-12? Moreover, the phrase "outside the portion" in line 12 is not clear as to the correspondence.

In claim 15, lines 9-10, the phrase "outside a part of the video signal" is unclear as to the meaning and scope.

Art Unit: 2673

In claim 16, lines 1-2, the phrase "the brightness of a portion of a video signal" is unclear. Brightness is not associated with a video signal but a display; however amplitude or frequency is. Also, the above word "brightness" is never again related to in the claim limitations. Does "brightness" correspond to "amount of light" in line 7 and "an amplitude of the video signal" in line 9? Moreover, the phrase "outside the portion" in line 10 is not clear as to the correspondence.

In claim 19, lines 6-7, the phrase "brightness of a portion of said video signal" is unclear. Brightness is not associated with a video signal but a display; however amplitude or frequency is. Also, the phrase "outside said portion" in line 8 is not clear as to the correspondence.

7. Claim 15 recites the limitation "the brightness" in line 10. There is insufficient antecedent basis for this limitation in the claim.

In light of above rejections regarding "a portion of a video signal", it is interpreted as any part of a video signal and claims are rejected as below.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by

Allender (US 6239561 B1).

Art Unit: 2673

As for claim 19, Allender teaches a display (CRT display) comprising:
an illuminator (cathode ray tube; column 1, lines 5-8) configured to provide illumination to illuminate said display;
a generator (inherent for providing video display signal; column 1, lines 8-10) configured to provide a video signal for display on said display; and
a controller (scanning beam velocity modulation signal processor; figure 1) configured to increase brightness of a portion of said video signal (DC component of signal V1 closes to power supply potential; figure 4) by increasing said illumination (increasing the DC component) and decreasing an amplitude of said video signal outside said portion (reduces V1 signal amplitude). See column 4, lines 9-13.

Claim 20 is a method claim corresponding to claim 19 and is rejected accordingly.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-12, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asaya (JP 54-012579) in view of Murakami (US 6069449).

Asaya teaches a system for increasing brightness of a portion of a video signal, the system comprising:

Art Unit: 2673

a signal-generating unit (inherent for any display; an example would be a TV signal decoder or a PC graphics chip) for supplying the video signal (provided to input terminal 1; figure 1) and control information (output of automatic gain-controlling feedback circuit 6), and

a video amplitude-modifying means (luminous element-driving circuit 2) for decreasing an amplitude of the video signal (negative modulation of image signal) outside the portion (image signal part not including the sync signal part) in response to the control information. See figures 1-3 and page 2, line 15 through page 3, line 17.

Asaya does not teach an LCD unit having an LCD device for displaying the video signal, and a lighting unit for increasing an amount of light illuminating the LCD device in response to the control information.

Murakami teaches a backlight used in LCD display. In particular, Murakami teaches a controller 24 that monitors backlight temperature and increasing the power of the backlight based on a backlight temperature signal (figures 2 and 7, column 2, line 57 through column 3, line 20, and column 4, lines 22-51).

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to incorporate Murakami backlight control into Asaya's system in the case of a LCD display so as to further maintain brightness in display even in a low-temperature environment.

Allowable Subject Matter

11. Claims 13-14 and 17-18 are allowed.

Art Unit: 2673

12. The following is a statement of reasons for the indication of allowable subject matter: none of the prior arts of record teaches the limitations “a brightness control unit for supplying control information to the interface ...” and “video amplitude-modifying means for decreasing an amplitude of the video signal outside the portion in response to the control information” of claim 13; “provide illumination to illuminate said display”, “a first video signal for display on a first portion of said display”, “a second video signal for display on a second portion of said display, said second portion including parts of said display outside of said first portion”, and “increase brightness of said first portion by increasing said illumination and decreasing an amplitude of said second video signal” of claims 17 and 18. Claim 14 depends on claim 13.

Response to Arguments

13. Applicant's arguments with respect to claims 1-7 and 10-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom V Sheng whose telephone number is (703) 305-6708. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (703) 305-4938. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2673

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tom Sheng
June 6, 2004


Amare Mengistu
Primary Examiner